



Town of Uxbridge
Zoning Board of Appeals
21 So. Main St.
Uxbridge, MA 01569
(508) 278-8603

DECISION

ZBA Case# FY08-32
(Modifies ZBA Case# FY07-02)
Zone: Residence A
Property Location:
Street Address: 30 Church Street, Uxbridge, MA
Town of Uxbridge Assessor's Map 6, Parcel 4455
Worcester County District Registry of Deeds' Bk. 37386, Pg. 261
Applicant Name(s)/Owner Name(s): Luis and Gaby Rodas

BACKGROUND

The applicants/owners of record, Luis and Gaby Rodas, are seeking a Determination pursuant to Chapter 40A Section 6 of the Massachusetts General Laws from the Zoning Board of Appeals on property located at 30 Church Street, Uxbridge, MA shown on the Town of Uxbridge Assessor's Map 6, Parcel 4455 and recorded in the Worcester County District Registry of Deeds Book 37386, Page 261, which is located in the "Residence A" Zoning District. According to the Zoning Bylaws, the "Residence A" Zoning District requires 125' frontage, Assessor's map shows 65 feet, leaving a shortage of 60 feet and 20,000 square feet area required, Assessor's map shows 14,375; a shortage of 5,625 square feet. A Zoning decision of October 2006 allowed construction of a 12' x 20' 2nd floor addition on a 12' x 20' structure on the dimensionally non-conforming lot. The size of the structure that was built is 13.6' x 31.7' which is larger than what was authorized.

SUBMITTALS

Application form and materials, received April 14, 2008, and including the form, copy of abutters list, plot plan and fees.

DELIBERATIONS AND DECISION

At a meeting of the Town of Uxbridge Zoning Board of Appeals a duly noticed public hearing was opened May 7, 2008.

It was noted that the project enhances the property and the neighborhood by expanding a pre-existing structure on a non-conforming lot in an appropriate fashion, and in a manner that does not make the structure any more non-conforming to the zoning bylaws.

Following the public hearing, a **MOTION** was made by Mr. Desilets to make a finding that the addition is not detrimental to the neighborhood, and to amend the ZBA Decision (file # FY07-02) dated October 4, 2006 as filed with the Town Clerk on October 5, 2006 and recorded at the Worcester County Registry of Deeds Book 39989, Page 275, to reflect the new dimensions of the addition 13.6' x 31.7'. Seconded by Mr. Bentley, the motion carried unanimously.

Voting Board Member Signatures:

Mark Wickstrom

Thomas Bentley

Bruce Desilets

Appeals, if any, from this decision shall be made pursuant to M.G.L. Chapter 40 A, Section 17 and filed within 20 days after the date of the filing in the Office of the Town Clerk.

I hereby certify that twenty (20) days has elapsed from the file date and no appeal has been filed in this office.

A true copy: ATTEST

Town Clerk/Assistant Town Clerk

***YOU ARE REMINDED OF YOUR
RESPONSIBILITY TO RECORD THE
DECISION AT THE REGISTRY OF
DEEDS PER THE CERTIFICATE OF
GRANTING**

Town Seal